

11/16/01

11-27-01

A

**UTILITY  
PATENT APPLICATION TRANSMITTAL**  
(Only for new nonprovisional  
applications under  
37 CFR 1.53(b))

Attorney Docket No.

HAU199 CON

First Inventor

David T. Bailey

Title

High Purity Beta-Carotene and  
Process for Obtaining Same

Express Mail Label No.

EL791520170US

**APPLICATION ELEMENTS**Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form  
(submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27
3. ☒ Specification total pages: 23  
(preferred Arrangement set forth below)
- Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R&D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) [total sheets: 4]
5. ☒ Oath or Declaration total sheets: 2]
- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from prior appl. (37 C.F.R. § 1.63(d))
- i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting  
inventor(s) named in prior application,  
see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. (See 37 CFR 1.76)
7. ☐ CD-ROM or CD-R in duplicate, large table  
or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
- a. ☐ Computer Readable Form
- b. ☐ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
  - ii. ☐ paper
- c. ☐ Statements verifying identity of above  
copies
9. ☐ Assignment Papers (coversheet/document(s))
10. ☐ 37 CFR. 3.73(b) Statement ☐ Power of  
(when there is an assignee) Attorney
11. ☐ English Translation
12. ☐ Document ☐ Copies of  
IDS Citations
13. ☐ IDS & Form 1449
- Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
15. ☐ Certified Copy of Priority Document(s)
16. ☐ Request & Certification under 35 USC  
122(b)(2)(B)(i)
17. ☒ Other: Certificate of Express Mailing

18. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:


☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 08/864,103

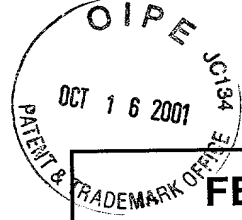
Prior application information: Examiner: W. Griffin Group/Art Unit: 1764

FOR CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

☐ Customer Number or Bar Code Label or ☒ Correspondence address below

Name	Steven C. Petersen				
	Hogan & Hartson, LLP				
Address	1200 17 <sup>th</sup> Street				
	Suite 1500				
City	Denver	State	CO	ZIP	80202
Country	US	Telephone	(720) 406-5315	Fax	(720) 406-5301
Name (Print/Type)	Sarah O'Rourke		Registration No.	41,226	
(Signature)				Date	Nov. 14, 2001



# FEE TRANSMITTAL for FY 2002

TOTAL AMOUNT OF PAYMENT (\$) (\$920.00)

## Complete if Known

Application Number  
Filing Date  
First Named Inventor David Bailey  
Examiner Name  
Group / Art Unit  
Attorney Docket No. HAU199 CON

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

50-1123

Deposit  
Account  
Name

Hogan & Hartson L.L.P.

☒ Charge Any Additional Fee Required Under 37  
CFR §§ 1.16 and 1.17

☐ Applicant claims small entity status.  
See 37 CFR 1.27

## Payment Enclosed:

☒ Check ☐ Money  
Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
710	370	Utility Filing Fee	370.00
320	160	Design filing fee	
490	245	Plant filing fee	
710	355	Reissue filing fee	
150	75	Provisional filing fee	

SUBTOTAL (1) (\$370.00)

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
52	-20**= 32	X 9	= 288
Independent Claims	-3**= 6	X 42	= 252
Multiple Dependent			= 0

\*\*or number previously paid, if greater, For Reissues, see below

Large Entity Fee Code	Small Entity Fee Code	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	**Reissue independent claims over original patent
110 18	210 9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$540)

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	For filing a request for ex parte reexamination	
920*	920*	Requesting publication of SIR prior to Examiner action	
1,840*	1,840*	Requesting publication of SIR after Examiner action	
110	55	Extension for reply within first month	
390	195	Extension for reply within second month	
890	445	Extension for reply within third month	
1,390	695	Extension for reply within fourth month	
1,890	945	Extension for reply within fifth month	
310	155	Notice of Appeal	
310	155	Filing a brief in support of an appeal	
270	135	Request for oral hearing	
1,510	1,510	Petition to institute a public use proceeding	
110	55	Petition to revive - unavoidable	
1,240	620	Petition to revive - unintentional	
1,240	620	Utility issue fee (or reissue)	
440	220	Design issue fee	
600	300	Plant issue fee	
130	130	Petitions to the Commissioner	
50	50	Processing fee under 37 CFR 1 17(q)	
180	180	Submission of information Disclosure Stmt	
40	40	Recording each patent assignment per property (times number of properties)	
710	355	Filing a submission after final rejection (37 CFR § 1 129(a))	
710	355	For each additional invention to be examined (37 CFR §1.129(b))	
710	355	Request for Continued Examination	
900	900	Request for expedited examination of a design application	
Other fee (specify)			

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

## SUBMITTED BY Complete (if applicable)

Name (Print/Type) Sarah O'Rourke

Registration No.  
(Attorney/Agent)

41,226

Telephone

(720) 406-5385

Signature

Date

Nov 16, 2001

Repl. Ref: 12/07/2001 ENATE1 0022321600  
DOI: 501123 Name/Number: 10001880  
FC: 704 \$10.00 CR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

David Bailey, *et al.*

Serial No.: Not Yet Accorded

Filing date: Not Yet Accorded

For: High Purity Beta-Carotene and Process for  
Obtaining Same

Group Art Unit: Not Yet Accorded

Examiner: Not Yet Accorded

CERTIFICATE OF MAILING BY EXPRESS MAIL

Box PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned hereby certifies that the following documents:

1. Utility Patent Application Transmittal Form;
2. Specification (23 pages);
3. Drawings (4 pages);
4. Copies of Declarations from U.S. Serial No. 08/864,103;
5. Fee Transmittal Form (in duplicate);
6. Check in the amount of \$920;
7. Certificate of Mailing by Express mail; and
8. Return postcard

Receipt date granted  
is 11/16/01.  
J. Chang  
from OPLA

relating to the above application, were deposited as "Express Mail", Mailing Label No. EL791520170US, with the United States Postal Service, addressed to Box PATENT APPLICATION, The Assistant Commissioner for Patents, Washington, D.C., 20231. The above listed documents were presented to the U.S. Postal Service on November 16, 2001, and accepted on same date. On November 19, 2001, the above documents in the original Express envelope were returned with a statement of "Temporary Suspension (Express Mail) due to Heightened Security".

The undersigned hereby certifies that the enclosed, unopened, postmarked Express Mail Envelope contains the documents listed above, and is being deposited as "Registered Mail", with the United States Postal Service, addressed to Box FILING DATE, The Assistant Commissioner for Patents, 2900 Crystal Drive, Arlington, VA 22202-3513 on November 19, 2001.

All statements made therein of the party's own knowledge are true, all statements made therein on information and belief are believed to be true, and all statements made therein are made with the knowledge that whoever, in any matter within the jurisdiction of the Patent and Trademark Office, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be subject

to the penalties set forth under 18 U.S.C. 1001, and that violations of this paragraph may jeopardize the validity of the application or document, or the validity or enforceability of any patent, trademark registration, or certificate resulting therefrom.

Date November 19, 2001

November 19, 2001  
Date

Mailer

*Sarah O'Rourke*  
*Sarah O'Rourke*

Sarah O'Rourke, Reg. No. 41,226

HOGAN & HARTSON LLP

1200 17th Street, Suite 1500

Denver, Colorado 80202

(720) 406-5385 Tel

(720) 406-5301 Fax

1001930 1104  
FOST 0354007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

David Bailey, *et al.*

Serial No.: Not Yet Accorded

Filing date: Not Yet Accorded

For: High Purity Beta-Carotene and Process for  
Obtaining Same

Group Art Unit: Not Yet Accorded

Examiner: Not Yet Accorded

CERTIFICATE OF MAILING BY EXPRESS MAIL

Box PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

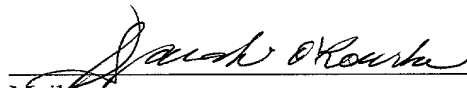
Sir:

The undersigned hereby certifies that the following documents:

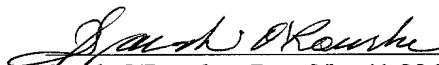
1. Utility Patent Application Transmittal Form;
2. Specification (23 pages);
3. Drawings (4 pages);
4. Copies of Declarations from U.S. Serial No. 08/864,103;
5. Fee Transmittal Form (in duplicate);
6. Check in the amount of \$920;
7. Certificate of Mailing by Express mail; and
8. Return postcard

relating to the above application, were deposited as "Express Mail", Mailing Label No. EL791520170US, with the United States Postal Service, addressed to Box PATENT APPLICATION, The Assistant Commissioner for Patents, Washington, D.C., 20231.

November 16, 2001  
Date

  
Mailer

November 16, 2001  
Date

  
Sarah O'Rourke, Reg. No. 41,226  
HOGAN & HARTSON LLP  
1200 17th Street, Suite 1500  
Denver, Colorado 80202  
(720) 406-5385 Tel  
(720) 406-5301 Fax